
SENATE BILL 5218

State of Washington

57th Legislature

2001 Regular Session

By Senators Eide, Horn, Haugen, Finkbeiner, McAuliffe, Fairley, Jacobsen, Kohl-Welles, Costa and Winsley

Read first time 01/16/2001. Referred to Committee on Transportation.

1 AN ACT Relating to sale, distribution, or installation of air bags;
2 amending RCW 46.63.020; adding new sections to chapter 46.37 RCW; and
3 prescribing penalties.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 46.37 RCW
6 to read as follows:

7 (1) A person is guilty of a gross misdemeanor if he or she knew or
8 reasonably should have known that an air bag he or she installs or
9 reinstalls for compensation, or distributes or sells is a previously
10 deployed air bag that is part of an inflatable restraint system.

11 (2) A person found guilty under subsection (1) of this section
12 shall be punished by a fine of five thousand dollars or by confinement
13 in the county jail for one year, or both.

14 NEW SECTION. **Sec. 2.** A new section is added to chapter 46.37 RCW
15 to read as follows:

16 Whenever an air bag that is part of a deployed inflatable restraint
17 system is replaced by either a new air bag that is part of an
18 inflatable restraint system or a nondeployed salvage air bag that is

1 part of an inflatable restraint system, the air bag must conform to the
2 original equipment manufacturer requirements and the installer must
3 verify that the self-diagnostic system for the inflatable restraint
4 system indicates that the entire inflatable restraint system is
5 operating properly.

6 **Sec. 3.** RCW 46.63.020 and 1999 c 86 s 6 are each amended to read
7 as follows:

8 Failure to perform any act required or the performance of any act
9 prohibited by this title or an equivalent administrative regulation or
10 local law, ordinance, regulation, or resolution relating to traffic
11 including parking, standing, stopping, and pedestrian offenses, is
12 designated as a traffic infraction and may not be classified as a
13 criminal offense, except for an offense contained in the following
14 provisions of this title or a violation of an equivalent administrative
15 regulation or local law, ordinance, regulation, or resolution:

16 (1) RCW 46.09.120(2) relating to the operation of a nonhighway
17 vehicle while under the influence of intoxicating liquor or a
18 controlled substance;

19 (2) RCW 46.09.130 relating to operation of nonhighway vehicles;

20 (3) RCW 46.10.090(2) relating to the operation of a snowmobile
21 while under the influence of intoxicating liquor or narcotics or
22 habit-forming drugs or in a manner endangering the person of another;

23 (4) RCW 46.10.130 relating to the operation of snowmobiles;

24 (5) Chapter 46.12 RCW relating to certificates of ownership and
25 registration and markings indicating that a vehicle has been destroyed
26 or declared a total loss;

27 (6) RCW 46.16.010 relating to initial registration of motor
28 vehicles;

29 (7) RCW 46.16.011 relating to permitting unauthorized persons to
30 drive;

31 (8) RCW 46.16.160 relating to vehicle trip permits;

32 (9) RCW 46.16.381(2) relating to knowingly providing false
33 information in conjunction with an application for a special placard or
34 license plate for disabled persons' parking;

35 (10) RCW 46.20.005 relating to driving without a valid driver's
36 license;

37 (11) RCW 46.20.091 relating to false statements regarding a
38 driver's license or instruction permit;

1 (12) RCW (~~(46.20.336)~~) 46.20.0921 relating to the unlawful
2 possession and use of a driver's license;
3 (13) RCW 46.20.342 relating to driving with a suspended or revoked
4 license or status;
5 (14) RCW 46.20.410 relating to the violation of restrictions of an
6 occupational driver's license;
7 (15) RCW (~~(46.20.420)~~) 46.20.345 relating to the operation of a
8 motor vehicle with a suspended or revoked license;
9 (16) RCW 46.20.740 relating to operation of a motor vehicle without
10 an ignition interlock device in violation of a license notation that
11 the device is required;
12 (17) RCW 46.20.750 relating to assisting another person to start a
13 vehicle equipped with an ignition interlock device;
14 (18) RCW 46.25.170 relating to commercial driver's licenses;
15 (19) Chapter 46.29 RCW relating to financial responsibility;
16 (20) RCW 46.30.040 relating to providing false evidence of
17 financial responsibility;
18 (21) RCW 46.37.435 relating to wrongful installation of
19 sunscreening material;
20 (22) Section 1 of this act relating to the sale, resale,
21 distribution, or installation of a previously deployed air bag;
22 (23) RCW 46.44.180 relating to operation of mobile home pilot
23 vehicles;
24 (~~(+23)~~) (24) RCW 46.48.175 relating to the transportation of
25 dangerous articles;
26 (~~(+24)~~) (25) RCW 46.52.010 relating to duty on striking an
27 unattended car or other property;
28 (~~(+25)~~) (26) RCW 46.52.020 relating to duty in case of injury to
29 or death of a person or damage to an attended vehicle;
30 (~~(+26)~~) (27) RCW 46.52.090 relating to reports by repairmen,
31 storagemen, and appraisers;
32 (~~(+27)~~) (28) RCW 46.52.130 relating to confidentiality of the
33 driving record to be furnished to an insurance company, an employer,
34 and an alcohol/drug assessment or treatment agency;
35 (~~(+28)~~) (29) RCW 46.55.020 relating to engaging in the activities
36 of a registered tow truck operator without a registration certificate;
37 (~~(+29)~~) (30) RCW 46.55.035 relating to prohibited practices by tow
38 truck operators;

1 (~~(30)~~) (31) RCW 46.61.015 relating to obedience to police
2 officers, (~~flagmen~~) flaggers, or fire fighters;
3 (~~(31)~~) (32) RCW 46.61.020 relating to refusal to give information
4 to or cooperate with an officer;
5 (~~(32)~~) (33) RCW 46.61.022 relating to failure to stop and give
6 identification to an officer;
7 (~~(33)~~) (34) RCW 46.61.024 relating to attempting to elude
8 pursuing police vehicles;
9 (~~(34)~~) (35) RCW 46.61.500 relating to reckless driving;
10 (~~(35)~~) (36) RCW 46.61.502 and 46.61.504 relating to persons under
11 the influence of intoxicating liquor or drugs;
12 (~~(36)~~) (37) RCW 46.61.503 relating to a person under age twenty-
13 one driving a motor vehicle after consuming alcohol;
14 (~~(37)~~) (38) RCW 46.61.520 relating to vehicular homicide by motor
15 vehicle;
16 (~~(38)~~) (39) RCW 46.61.522 relating to vehicular assault;
17 (~~(39)~~) (40) RCW 46.61.5249 relating to first degree negligent
18 driving;
19 (~~(40)~~) (41) RCW 46.61.527(4) relating to reckless endangerment of
20 roadway workers;
21 (~~(41)~~) (42) RCW 46.61.530 relating to racing of vehicles on
22 highways;
23 (~~(42)~~) (43) RCW 46.61.685 relating to leaving children in an
24 unattended vehicle with the motor running;
25 (~~(43)~~) (44) RCW 46.64.010 relating to unlawful cancellation of or
26 attempt to cancel a traffic citation;
27 (~~(44)~~) (45) RCW 46.64.048 relating to attempting, aiding,
28 abetting, coercing, and committing crimes;
29 (~~(45)~~) (46) Chapter 46.65 RCW relating to habitual traffic
30 offenders;
31 (~~(46)~~) (47) RCW 46.68.010 relating to false statements made to
32 obtain a refund;
33 (~~(47)~~) (48) Chapter 46.70 RCW relating to unfair motor vehicle
34 business practices, except where that chapter provides for the
35 assessment of monetary penalties of a civil nature;
36 (~~(48)~~) (49) Chapter 46.72 RCW relating to the transportation of
37 passengers in for hire vehicles;
38 (~~(49)~~) (50) RCW 46.72A.060 relating to limousine carrier
39 insurance;

1 (~~(50)~~) (51) RCW 46.72A.070 relating to operation of a limousine
2 without a vehicle certificate;
3 (~~(51)~~) (52) RCW 46.72A.080 relating to false advertising by a
4 limousine carrier;
5 (~~(52)~~) (53) Chapter 46.80 RCW relating to motor vehicle wreckers;
6 (~~(53)~~) (54) Chapter 46.82 RCW relating to driver's training
7 schools;
8 (~~(54)~~) (55) RCW 46.87.260 relating to alteration or forgery of a
9 cab card, letter of authority, or other temporary authority issued
10 under chapter 46.87 RCW;
11 (~~(55)~~) (56) RCW 46.87.290 relating to operation of an
12 unregistered or unlicensed vehicle under chapter 46.87 RCW.

--- END ---